

MEMBER SERVICES

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TOMORROW'S FORECAST

- * The House will reconvene for its 36th Legislative Day on Thursday, March 23, at 10:00 am.
- * 17 bills are expected to be debated on the floor.

GEORGIA HOUSE OF REPRESENTATIVES

DAILY REPORT

WEDNESDAY, MARCH 22, 2006

LEGISLATIVE DAY# 35

TODAY ON THE FLOOR

Speaker of the House, Rep. Glenn Richardson, gavelled the House into session today, at 10:00 am, for the 35th Legislative Day of the 2nd Session of the 148th General Assembly.

MOTION TO AGREE/DISAGREE

HB0425 Insurers; permit food and refreshments under certain circumstances

- This bill permits insurers to provide food or refreshments under certain circumstances to current or prospective clients during sales presentations and seminars provided that no insurance or annuity applications or contracts are offered or accepted at such presentations or seminars
- **Authored By:** Rep. Ben Harbin
- **House Committee:** Insurance
- **Motion to Agree:** Adopted by 154/0
- **Motion to Agree represents Final Passage of this bill.**

HB1066 Metabolic and genetic disorders; system for screening newborns; change provisions

- HB 1066 would allow for the screening of newborns for serious illness, developmental disabilities, metabolic and genetic conditions. The Department of Human Resources will be authorized to establish and adjust fees associated with the screening, retrieval, and diagnosis of the screenings, but no services will be denied on the basis of inability to pay. These requirements will not apply to an infant whose parents object to the screening based on a religious belief.
- **Authored By:** Rep. Judy Manning
- **House Committee:** Children & Youth
- **Motion to Agree:** Adopted by 148/6
- **Motion to Agree represents Final Passage of this bill.**

Local Calendar

- HB 733, 1003, 1298, 1351 - Motion to Agree to the Senate Substitute: Adopted 154/1
- **Motion to Agree represents Final Passage of these bills.**

DEBATE CALENDAR

SB0095 Soil Scientists Licensing Act; regulate practice of soil science

- SB 95 would change the regulation of soil scientists from the county boards of health, and transfer this regulation to the newly created State Licensing Board for Professional Soil Scientists. SB 95 provides for the creation, composition, and powers/duties of the new board. SB 95 also defines the criteria to be eligible for a soil scientist license. (It is important to note SB 95 does not prohibit one or more soil scientists from practicing a sole proprietorship, partnership, limited liability company, or corporation). Revenue derived from the fees in this newly created code chapter would be appropriated to the Department of Human Resources for purposes of administration in the next fiscal year.
- **Authored By:** Sen. Seth Harp
- **Special House Rules Applied:** Open
- **House Committee:** Regulated Industries
- **Yea:** 152 **Nay:** 16

SB0208 Central Registry for Traumatic Brain/Spinal Injuries; create state-wide

- Creates a Central Registry for Traumatic Brain and Spinal Injuries by ordering all licensed medical providers in the state to forward information about identities of qualified individuals to the Brain and Spinal Injury Trust Fund Commission inside the Dept. of Human Resources, so as to disseminate information to said individuals, as well as provide the state with data.

- **Authored By:** Sen. Michael Meyer von Bremen

- **Special House Rules Applied:** Open

- **House Committee:** Health & Human Services

- **Yea:** 156 **Nay:** 4

SB0238 Torts; immunity from civil liability for non- profit organizations

- A BILL to be entitled an Act to amend Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to general provisions relative to torts, so as to provide for immunity from civil liability for nonprofit organizations and individuals that financially sponsor charitable fundraising events; to provide for an exception; to repeal conflicting laws; and for other purposes.

- **Authored By:** Sen. Judson Hill

- **Special House Rules Applied:** Modified-Structured

- **House Committee:** Special Committee on Civil Justice Reform

- **Yea:** 162 **Nay:** 0

SB0244 Magistrates Retirement Fund; define terms; create board of commissioners; powers

- Bill creates the Board of Commissioners of the Magistrates Retirement Fund of Georgia. The board shall consist of seven members: the Governor or designee; an appointee of the Governor who is not the Attorney General, and, five full-time chief magistrates who are members of the fund. The bill provides for terms of members of the board, provides for the office of secretary-treasurer to the board and provides for additional employees. Eligibility for membership in fund – must be serving as a full-time magistrate of the county or secretary-treasurer to the board. Persons desiring to participate in the fund must make application to the board and such application must be made not later than July 1, 2007, or within six months after become eligible for membership, whichever is later. Each member shall pay dues of \$105 per month, due on 10th of month. Funding - A additional fee of \$3.00 will be added to civil filing fees. The clerks of the magistrate courts shall collect the \$3.00 fee and remit to the board on a quarterly basis. Vesting – 8 years and member is eligible for retirement benefits with at least 8 years of service and age 60 of age. Retirement benefits will be a monthly sum equal to 4% of his/her average final monthly compensation for each year served up to a total of 20 years. The final monthly compensation used for calculating a benefit shall not exceed \$33,772.50. Spousal benefits will be equal to 50% of benefit being collected by member. Disability benefit – a member who becomes totally and permanently disabled, must have 4 years of creditable service to collect benefits.

- **Authored By:** Sen. Ralph Hudgens

- **Special House Rules Applied:** Open

- **House Committee:** Retirement

- **Yea:** 157 **Nay:** 3

SB0398 Criminal Proceedings; plea of insanity; revise procedures of psychiatric evaluations

- Provides that custody of a defendant who is found guilty but mentally ill at the time of the crime will be placed only in the custody of the Department of Corrections, who will have the responsibility of evaluating and treating said defendant. Previously, custody could be placed with either the Department of Corrections or Department of Human Resources. Further provides that the Department of Corrections can refer said defendant to Department of Human Resources for treatment, if they so desire. For any examination performed by the Department of Human Resources, a report, along with other documents, must be received by the Department of Corrections within 10 business days.

- **Authored By:** Sen. Seth Harp

- **Special House Rules Applied:** Modified-Open

- **House Committee:** Judiciary Non-Civil

- **Yea:** 162 **Nay:** 2

SB0445 Civil War Commission; editorial changes; change administrative assignment; codify certain provisions

- Senate Bill 445 changes the administrative assignment of the commission and the facilitating state department from the Department of Natural Resources to the Department of Economic Development.

- **Authored By:** Sen. Jeff Mullis

- **Special House Rules Applied:** Open

- **House Committee:** Intra-governmental Coordination

- **Yea:** 153 **Nay:** 0

SB0506 HOPE Scholarships; set amount for mandatory fees; eligible public postsecondary

institutions; January 1, 2004

- This bill provides for a set amount for mandatory fees for HOPE scholarship and HOPE grants for eligible public postsecondary institutions created after January 1, 2004.

- **Authored By:** Sen. Don Balfour
- **Special House Rules Applied:** Open
- **House Committee:** Higher Education
- **Yea:** 163 **Nay:** 0

SB0581 Georgia Public Safety Training Center; emergency medical personnel; provide training; change certain provisions

- This bill relates to Georgia Public Safety Training Center and authorizes the training center to provide training for emergency medical personnel.

- **Authored By:** Sen. Jeff Mullis
- **Special House Rules Applied:** Open
- **House Committee:** Public Safety
- **Amendments:** AM 35 0036 Adopted
- **Yea:** 162 **Nay:** 0

** The House will reconvene Thursday, March 23 at 10:00 am for its 36th Legislative Day of the 2nd Regular Session of the 148th General Assembly.*

COMMITTEE ON RULES

The Committee on Rules today has fixed the calendar for the 36th Legislative Day, Thursday, March 23, as enumerated below, and can be called at the pleasure of the Speaker of the House.

DEBATE CALENDAR

HR1341 Joint Study Committee on Direct Entry Midwifery; create

- This bill would create the Joint Study Committee on Direct Entry Midwifery, to study infant mortality in Georgia.
- **Authored By:** Rep. Stephanie Benfield
- **Special House Rules Applied:** Open
- **House Committee:** Health & Human Services

SB0044 Corrections; contracts with private detention/diversion centers; regulations

- This bill relates duties of the Board of Corrections by authorizing them to enter into contracts for the operation of private probation detention and diversion centers.
- **Authored By:** Sen. Bill Hamrick
- **Special House Rules Applied:** Open
- **House Committee:** State Institutions & Property

SB0136 Juvenile Proceedings; bail for delinquent children

- SB 136: Allows any child alleged delinquent or unruly the same rights to bail that adult defendants receive; any person with legal custody who is a blood relative can pose bail, but the juvenile must return to his or her legal guardian after bail is posted.
- **Authored By:** Sen. Preston Smith
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary Non-Civil

SB0145 Cosmetologists; define terms; qualifications; certificate for registration for hair braiders/designers

- SB 145 reduces the current requirements for hair braiders and hair designers in Georgia by creating a separate license for hair braiders and hair designers. SB 145 adds the definition of a "hair braider" and a "hair designer," and denotes the difference between the two. Likewise, a definition of "school of hair braiding" and "school of hair design" is differentiated. SB 145 would provide that any person calling himself a hair braider or hair designer would first need a certificate of registration to lawfully perform these services. Under SB 145, it would likewise be unlawful for a hair braiding or hair design shop or school to operate without a certificate of registration.

Should an applicant have a current hair braider or hair design license in another state, reciprocity can be granted upon board approval.

- **Authored By:** Sen. Johnny Grant
- **Special House Rules Applied:** Open
- **House Committee:** Regulated Industries

SB0236 State Employees Insurance; coverage for surviving dependents/spouse

- SB 236 provides that the surviving spouse and dependents of a state employee killed while acting in the scope of his or her employment shall be entitled to continue coverage under the state health insurance plan. Any person so eligible to continue such coverage shall pay the same premium as an active state employee.
- **Authored By:** Sen. Ralph Hudgens
- **Special House Rules Applied:** Open
- **House Committee:** Insurance

SB0253 Certificate of Permanent Location; requirements; change provisions

- Relates to manufactured or mobile homes, so as to change certain provisions relating to requirements for Certificate of Permanent Location; to change certain provisions relating to recording documents in connection with a Certificate of Permanent Location; to provide alternative methods for obtaining a Certificate of Permanent Location; to provide for related matters; to repeal conflicting laws; and for other purposes.
- **Authored By:** Sen. Preston Smith
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary

SB0260 General Assembly; furnishing/approval of bonds; repeal provisions

- Relating to the Secretary of the Senate and the Clerk of the House of Representatives, so as to repeal provisions relating to furnishing and approval of bonds by said officers; to provide for related matters; to repeal conflicting laws; and for other purposes.
- **Authored By:** Sen. Eric Johnson
- **Special House Rules Applied:** Open
- **House Committee:** Rules

SB0285 Trains, Operation of; signal whistles; lights; remove certain provisions

- This bill repeals and reserves several archaic code sections and those code sections preempted by federal statutes relating to railroads.
- **Authored By:** Sen. Chip Rogers
- **Special House Rules Applied:** Open
- **House Committee:** Transportation

SB0384 Interstate Insurance Product Regulation Compact; enact; regulate designated insurance products; create commission

- This bill enacts the Interstate Insurance Product Regulation Compact to help states join together to establish an interstate compact to regulate designated insurance products. Further, SB 384 provides for implementation of such compact and for the organization of the commission.
- **Authored By:** Sen. Ralph Hudgens
- **Special House Rules Applied:** Open
- **House Committee:** Insurance

SB0385 Insurers; investments in the obligations of certain Canadian cities

- This bill provides that insurers may invest in the obligations of certain Canadian cities.
- **Authored By:** Sen. Ralph Hudgens
- **Special House Rules Applied:** Open
- **House Committee:** Insurance

SB0400 Motor Vehicles; law enforcement agencies; use of properly equipped all-terrain vehicles

- This bill allows the use of properly equipped all-terrain vehicles by law enforcement agencies.
- **Authored By:** Sen. Ross Tolleson
- **Special House Rules Applied:** Modified-Structured
- **House Committee:** Motor Vehicles

SB0454 Law Enforcement Vehicles; require patrol vehicle markings for Georgia State Patrol

- This bill relates to marking and equipment of law enforcement vehicles and requires patrol vehicle markings for Georgia

State Patrol vehicles and excludes other vehicles used by the Department of Public Safety from marking requirements. This bill also increase the number of solid color marked vehicles allowed per post.

- **Authored By:** Sen. John Douglas
- **Special House Rules Applied:** Open
- **House Committee:** Public Safety

SB0469 Corporations, Partnerships and Associations; update provisions

- This bill relates to corporations, partnerships, and associations, so as to provide for the updating of provisions relating to corporations, partnerships, and associations; to provide confirmation when an order for relief with respect to a corporation has been entered pursuant to the federal Bankruptcy Code of the power and authority of such corporation to take action pursuant to the decree of order or the court or judge in such bankruptcy proceedings; to provide that a board of directors can commit a corporation to submit a matter for shareholder approval even if the board of directors subsequently determines to recommend against it later.

- **Authored By:** Sen. Preston Smith
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary

SB0520 Public Safety, Board of; authorize to provide badge/revolver to sworn officers; state patrol; change provisions

- This bill authorizes the Board of Public Safety to provide the badge and duty weapon (initially assigned) to sworn officers as compensation to members of the Uniform division of the Department of Public Safety upon their retirement. These provisions apply to sworn members who have accumulates 25 years of service.

- **Authored By:** Sen. Eric Johnson
- **Special House Rules Applied:** Open
- **House Committee:** Public Safety

SB0531 Motor Vehicle Liability Policies; uninsured motorist coverage; change certain provisions

- This bill changes certain provisions relating to damages recoverable by an insured under uninsured motorist coverage.

- **Authored By:** Sen. Chip Rogers
- **Special House Rules Applied:** Open
- **House Committee:** Insurance

SB0532 United States Nuclear Regulatory Commission; enhance the protection of licensed facilities

- A BILL to be entitled an Act to amend provisions of the O.C.G.A. so as to enhance the protection of facilities licensed by the United States Nuclear Regulatory Commission; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

- **Authored By:** Sen. Jim Whitehead
- **Special House Rules Applied:** Modified-Structured
- **House Committee:** Public Utilities & Telecommunications

SR0849 Kimberly Boyd Memorial Bridge; dedicating

- A resolution honoring the life and service of Kimberly Boyd and dedicating the Kimberly Boyd Memorial Bridge; and for other purposes.

- **Authored By:** Sen. John Wiles
- **Special House Rules Applied:** Structured
- **House Committee:** Transportation

** The Rules Committee will next meet on Thursday, March 23 at 9:00 am to set the Debate Calendar for the 37th Legislative Day.*

COMMITTEE ACTION REPORT

Defense & Veterans Affairs

HR1861 National Bio and Agro-Defense Facility; Governor's pursuit; urge

- By this resolution, the Georgia House of Representatives Members urge the Governor to continue his pursuit of locating the

proposed National Bio and Agro-Defense Facility here in Georgia. This proposed facility will research high-consequence biological threats involving human, zoonotic (i.e., transmitted from animals to humans), and foreign animal diseases.

- **Authored By:** Rep. Bob Smith

- **Committee Action:** Do Pass

Governmental Affairs

SB0248 Rehabilitation Services; delivery to deaf-blind individuals; procedures

- SB 248 provides for the delivery of certain services and techniques to deaf-blind individuals by an organization knowledgeable on deaf-blind issues. Further, this bill provides that the division integrates the services and techniques into its standard practices and procedures. Also, SB 248 provides for a time frame to retain the services of an organization to provide services and techniques to deaf-blind individuals and training on such services and techniques.

- **Authored By:** Sen. Regina Thomas

- **Committee Action:** Do Pass

SB0450 Ad Valorem Taxation of Property; revise pay structure of certain county officers/officials; provide recalculation of min. salaries

- This bill revises the pay structure for certain county officers and officials and revises the minimum salary schedules of pay for sheriffs, tax commissioners, clerks of superior court, and judges of probate court. Further, SB 450 provides for longevity pay increases for certain members of county governing authorities.

- **Authored By:** Sen. Brian Kemp

- **Committee Action:** Do Pass by Committee Substitute

HR1535 State Health Benefit Plan Design Team; create

- This resolution creates the State Health Benefit Plan Design Team.

- **Authored By:** Rep. Austin Scott

- **Committee Action:** Do Pass

Judiciary - Civil

SB0382 Child Support; calculations; definitions; appeal process; change provisions

- Reorganizes the requirements for child support obligations and creates the Basic Child Support Obligation Table to obtain appropriate child support amounts

- **Authored By:** Sen. Seth Harp

- **Committee Action:** Do Pass by Committee Substitute

SB0419 Lottery Proceeds; provide method to recover delinquent child support payments; change certain provisions

- This bill would provide a method to recover delinquent child support payments from certain lottery proceeds, and would amend Chapter 6 of Title 19 to require the child support enforcement agency to present claims for delinquent child support with the Georgia Lottery Corporation for the protection of the interest of the state and families owed delinquent due child support.

- **Authored By:** Sen. Seth Harp

- **Committee Action:** Do Pass

Judiciary Non-Civil

SB0455 Privacy; customer proprietary network information broker; obtain or release customer information; provide penalties; exceptions

- This bill prohibits telephone records brokers from obtaining or releasing certain customer information. The bill exempts law enforcement agencies engaged in their lawful duties. The punishment for violation of the Code Section would be a fine not to exceed \$10,000.00.

- **Authored By:** Sen. David Shafer

- **Committee Action:** Do Pass by Substitute

SB0456 Privacy; mobile telephone usage; unlawful to disseminate information without expressed consent of subscriber; penalties; exception

- The bill would make it unlawful to disseminate mobile phone records without the express consent of the subscriber, further the bill would make it unlawful to buy or otherwise obtain mobile phone records.

A violation of the act would be punished as a felony with up to 10 years in prison or a fine of up to \$100,000.00 or both. This bill would not apply to law enforcement, mobile phone service providers in the course of testing security systems or investigating misconduct, or a party to a lawsuit.

- **Authored By:** Sen. John Wiles

- **Committee Action:** Do Pass by Committee Substitute

SB0529 Georgia Security/Immigration Compliance Act; persons who are not lawfully present in the U.S.; comprehensive regulation

- This bill would:

- Provide for the comprehensive regulation of persons in this state who are not lawfully present in the United States by requiring employers in the state to participate in a federal work authorization program
- Create a new crime in Code section 16-5-46 to punish trafficking a person for the purposes of sexual servitude as a felony with imprisonment for from one year to up to 20 years – if the person trafficked is under 18 years the punishment will be imprisonment from 10 to 20 years
- Provide for the seizure and forfeiture of contraband used to violate Code section 16-9-4
- Require any jail to determine the nationality of any person charged with an offense as part of the booking process
- Creates the “Registration of Immigration Assistance Act” to provide for the regulation of private immigration services
- Would disallow the use of a driver’s license issued by any state that allows such license to be issued to persons not lawfully present in the United States for purposes of identification for employment
- Would disallow claiming payment of compensation to an individual of \$600.00 or more per year as a deductible business expense unless that person provides valid taxpayer identification
- Would require that any person in this state who is 18 years or older who applies for state assistance show proof of lawful presence in the United States

- **Authored By:** Sen. Chip Rogers

- **Committee Action:** Do Pass by Committee Substitute

SB0603 Advanced Practice Registered Nurse; enactment of rules/regulations; practitioner; revise definition

- This bill would allow Advanced Practice Nurses to issue prescription orders. A physician would have to delegate such authority. Bill further provides that all applicants for licensure as a registered professional nurses submit to a criminal background check.

- **Authored By:** Sen. Don Thomas

- **Committee Action:** Do Pass

Special Committee on MARTA

SB0115 MARTA; reserve fund interest income used to pay operating cost; provision

- The goal of this bill is to keep MARTA fiscally accountable for all expenditures. They will be required to put a percentage of profits into the reserve and may not use the money unless they prove losses from a five month economic downturn and can justify using money other than that in the operating budget. They will also have to send a yearly report to the Authority, the Governor, and the MARTOC members. Any labor disputes will go to an arbitrator instead of a judge (as is the case with current MARTA policy) so that the expertise of an arbitrator may be of assistance in such disputes. This section brings the reporting date for MARTA in line with the end of their fiscal calendar and makes the sunset date for the bill July 30, 2008 instead of 2006.

- **Authored By:** Sen. Gloria Butler

- **Committee Action:** Do Pass by Committee Substitute

Public Safety

HR1692 Comprehensive emergency preparedness and response educational program; urge to create

- This resolution urges state, county and municipal governments to take all steps necessary to ensure that county and municipal government leaders are provided meaningful courses of instruction, training, and guidance so that our county municipal government leaders are prepared to respond to a large-scale public safety emergency.

- **Authored By:** Rep. Burke Day

- **Committee Action:** Do Pass by Committee Substitute

Regulated Industries

SB0495 Fire Hazards; increase in fees/charges; provide fee for blaster certification cards; require license prior to blast hole drilling

- SB 495 would require a license prior to conducting blast hole drilling and would also require liability insurance for licensed blasters. SB 495 provides that a fee be instituted for blaster certification cards.
- **Authored By:** Sen. Jeff Mullis
- **Committee Action:** Do Pass

Rules

HR1730 Critical Conditions Health Decisions Month in Georgia; recognize

- A resolution recognizing Critical Conditions Health Decisions Month in Georgia; and for other purposes.
- **Authored By:** Rep. Wendell Willard
- **Committee Action:** Do Pass

HR1856 Murphy, Thomas B.; former Speaker of the House; authorize placement of portrait

- A resolution authorizing the placement in the Capitol of a portrait of former Speaker of the House Thomas B. Murphy; and for other purposes.
- **Authored By:** Rep. Bill Cummings
- **Committee Action:** Do Pass

Special Rules

SB0484 Colquitt, City of; declare as Georgia's First Mural City

- This legislation relates to state symbols. It will make the City of Colquitt, Georgia's First Mural City. Colquitt-Miller Arts Council, Inc. strives to encourage, enrich, and stimulate the practice and appreciation of the arts among the people living in that area. The Colquitt Millennium Mural Project strives to beautify the downtown area with different styles of mural artwork, create more tourism and revitalize the local economy.
- **Authored By:** Sen. John Bulloch
- **Committee Action:** Do Pass

State Planning & Community Affairs

HR1791 Council of Local Governments; conflict between cities and counties; urge to address

- The Resolution commends the Association County Commissioners of Georgia and the Georgia Municipal Association for creating the Council of Local Governments to address issues that create conflict between cities and counties, such as service delivery, competition for revenue, and annexation, and urges the two associations to continue their work through the Council.
- **Authored By:** Rep. Donna Sheldon
- **Committee Action:** Do Pass by Committee Substitute

SB0202 Budgets/Audits; local government; grant requirements; subrecipients

- The bill adds school boards, regional development centers, and authorities to the current list of entities, such as cities and counties, which are required to perform audits on public monies received for grants.
- **Authored By:** Sen. John Wiles
- **Committee Action:** Do Pass

Transportation

SB0431 Public Road System; utility fails to remove/relocate facility; responsible to Dept. of Transportation for failure to comply

- This bill is designed to bring contractors, utility companies, and the DOT together when working to move utilities that occupy any part of a public road system. If the utility fails to remove or relocate a facility in a timely manner shall be responsible to the department and its contractors for failure to comply. The department is to establish written procedures for implementation.
- **Authored By:** Sen. Jim Whitehead
- **Committee Action:** Do Pass by Committee Substitute

** Committee action reports are edited for this report. For full content, please contact the House Committee Services Office at 404-656-3206. Bills passing committees are reported to the Clerk's Office and are then placed on*

COMMITTEE BROADCAST SCHEDULE

THURSDAY, MARCH 23, 2006

9:00 am Committee on Rules
341 CAP

12:00 pm Higher Education
403 CAP

2:00 pm Judiciary - Civil
132 CAP

2:00 pm Health & Human Services
341 CAP

** To view the committee broadcast, please the Georgia Legislative Network's link at www.legis.ga.gov.*

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